

## § 102.180

### § 102.180 Requests for special permission to appeal referred to Chief Administrative Law Judge.

During any period when the Board lacks a quorum, any request for special permission to appeal filed or pending pursuant to § 102.26 of this part shall be referred to the Chief Administrative Law Judge in Washington, DC, for ruling. Such rulings by the Chief Administrative Law Judge, and orders in connection therewith, shall not be appealed directly to the Board, but shall be considered by the Board in reviewing the record if exception to the ruling or order is included in the statement of exceptions filed with the Board pursuant to § 102.46.

### § 102.181 Administrative and procedural requests referred to Executive Secretary.

During any period when the Board lacks a quorum, administrative and procedural requests that would normally be filed with the Office of the Executive Secretary for decision by the Board prior to the filing of a request for review under § 102.67 of this part, or exceptions under §§ 102.46 and 102.69 of this part, shall be referred to the Executive Secretary for ruling. Such rulings by the Executive Secretary, and orders in connection therewith, shall not be appealed directly to the Board, but shall be considered by the Board if such matters are raised by a party in its request for review or exceptions.

### § 102.182 Representation cases should be processed to certification.

During any period when the Board lacks a quorum, the second proviso of § 102.67(b) regarding the automatic impounding of ballots shall be suspended. To the extent practicable, all representation cases should continue to be processed and the appropriate certification should be issued by the Regional Director notwithstanding the pendency of a request for review, subject to revision or revocation by the Board pursuant to a request for review filed in accordance with this subpart.

[76 FR 82133, Dec. 30, 2011]

## 29 CFR Ch. I (7–1–14 Edition)

### APPENDIX A TO PART 102—NLRB OFFICIAL OFFICE HOURS

NLRB Headquarters, Business Hours (Local Time):	
Washington, DC .....	8:30 a.m.–5 p.m.
Division of Judges, Business Hours (Local Time):	
Washington, DC .....	8:30 a.m.–5 p.m.
San Francisco .....	8:30 a.m.–5 p.m.
New York .....	8:30 a.m.–5 p.m.
Atlanta .....	8 a.m.–4:30 p.m.
Regional Office Business Hours (Local Time):	
1—Boston .....	8:30 a.m.–5 p.m.
2—New York .....	8:45 a.m.–5:15 p.m.
3—Buffalo .....	8:30 a.m.–5 p.m.
Albany .....	8:30 a.m.–5 p.m.
4—Philadelphia .....	8:30 a.m.–5 p.m.
5—Baltimore .....	8:15 a.m.–4:45 p.m.
Washington, DC .....	8:15 a.m.–4:45 p.m.
6—Pittsburgh .....	8:30 a.m.–5 p.m.
7—Detroit .....	8:15 a.m.–4:45 p.m.
Grand Rapids .....	8:15 a.m.–4:45 p.m.
8—Cleveland .....	8:15 a.m.–4:45 p.m.
9—Cincinnati .....	8:30 a.m.–5 p.m.
10—Atlanta .....	8 a.m.–4:30 p.m.
Birmingham .....	8 a.m.–4:30 p.m.
11—Winston-Salem .....	8 a.m.–4:30 p.m.
12—Tampa .....	8 a.m.–4:30 p.m.
Jacksonville .....	8 a.m.–4:30 p.m.
Miami .....	8 a.m.–4:30 p.m.
13—Chicago .....	8:30 a.m.–5 p.m.
14—St. Louis .....	8 a.m.–4:30 p.m.
15—New Orleans .....	8 a.m.–4:30 p.m.
16—Fort Worth .....	8:15 a.m.–4:45 p.m.
Houston .....	8 a.m.–4:30 p.m.
San Antonio .....	8 a.m.–4:30 p.m.
17—Kansas City .....	8:15 a.m.–4:45 p.m.
Tulsa .....	8:15 a.m.–4:45 p.m.
18—Minneapolis .....	8 a.m.–4:30 p.m.
Des Moines .....	8 a.m.–4:30 p.m.
19—Seattle .....	8:15 a.m.–4:45 p.m.
Anchorage .....	8:15 a.m.–4:45 p.m.
Portland .....	8 a.m.–4:30 p.m.
20—San Francisco .....	8:30 a.m.–5 p.m.
Honolulu .....	8 a.m.–4:30 p.m.
21—Los Angeles .....	8:30 a.m.–5 p.m.
San Diego .....	8:30 a.m.–5 p.m.
22—Newark .....	8:45 a.m.–5:15 p.m.
24—Puerto Rico .....	8:30 a.m.–5 p.m.
25—Indianapolis .....	8:30 a.m.–5 p.m.
26—Memphis .....	8 a.m.–4:30 p.m.
Little Rock .....	8 a.m.–4:30 p.m.
Nashville .....	8 a.m.–4:30 p.m.
27—Denver .....	8:30 a.m.–5 p.m.
28—Phoenix .....	8:15 a.m.–4:45 p.m.
Albuquerque .....	8:15 a.m.–4:45 p.m.
El Paso .....	8:15 a.m.–4:45 p.m.
Las Vegas .....	8:30 a.m.–5 p.m.
29—Brooklyn .....	9 a.m.–5:30 p.m.
30—Milwaukee .....	8 a.m.–4:30 p.m.
31—Los Angeles .....	8:30 a.m.–5 p.m.
32—Oakland .....	8:30 a.m.–5 p.m.
33—Peoria .....	8:30 a.m.–5 p.m.

## National Labor Relations Board

## § 103.30

34—Hartford ..... 8:30 a.m.—5 p.m.

[57 FR 4158, Feb. 4, 1992]

### PART 103—OTHER RULES

#### Subpart A—Jurisdictional Standards

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103.1 Colleges and universities.

103.2 Symphony orchestras.

103.3 Horseracing and dogracing industries.

#### Subpart B—Election Procedures

103.20 Posting of election notices.

#### Subpart C—Appropriate Bargaining Units

103.30 Appropriate bargaining units in the health care industry.

#### Subpart E [Reserved]

#### Subpart F—Remedial Orders

103.100 Offers of reinstatement to employees in Armed Forces.

AUTHORITY: 29 U.S.C. 156, in accordance with the procedure set forth in 5 U.S.C. 553.

### Subpart A—Jurisdictional Standards

#### § 103.1 Colleges and universities.

The Board will assert its jurisdiction in any proceeding arising under sections 8, 9, and 10 of the Act involving any private nonprofit college or university which has a gross annual revenue from all sources (excluding only contributions which, because of limitation by the grantor, are not available for use for operating expenses) of not less than \$1 million.

[35 FR 18370, Dec. 3, 1970]

#### § 103.2 Symphony orchestras.

The Board will assert its jurisdiction in any proceeding arising under sections 8, 9, and 10 of the Act involving any symphony orchestra which has a gross annual revenue from all sources (excluding only contributions which are because of limitation by the grantor or not available for use for operating expenses) of not less than \$1 million.

[38 FR 6177, Mar. 7, 1973]

#### § 103.3 Horseracing and dogracing industries.

The Board will not assert its jurisdiction in any proceeding under sections 8, 9, and 10 of the Act involving the horseracing and dogracing industries.

[38 FR 9507, Apr. 17, 1973]

#### Subpart B—Election Procedures

#### § 103.20 Posting of election notices.

(a) Employers shall post copies of the Board's official Notice of Election in conspicuous places at least 3 full working days prior to 12:01 a.m. of the day of the election. In elections involving mail ballots, the election shall be deemed to have commenced the day the ballots are deposited by the Regional Office in the mail. In all cases, the notices shall remain posted until the end of the election.

(b) The term *working day* shall mean an entire 24-hour period excluding Saturdays, Sundays, and holidays.

(c) A party shall be estopped from objecting to nonposting of notices if it is responsible for the nonposting. An employer shall be conclusively deemed to have received copies of the election notice for posting unless it notifies the Regional Office at least 5 working days prior to the commencement of the election that it has not received copies of the election notice.

(d) Failure to post the election notices as required herein shall be grounds for setting aside the election whenever proper and timely objections are filed under the provisions of § 102.69(a).

[52 FR 25215, July 6, 1987]

#### Subpart C—Appropriate Bargaining Units

#### § 103.30 Appropriate bargaining units in the health care industry.

(a) This portion of the rule shall be applicable to acute care hospitals, as defined in paragraph (f) of this section: Except in extraordinary circumstances and in circumstances in which there are existing non-conforming units, the following shall be appropriate units, and the only appropriate units, for petitions filed pursuant to section